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7 *Attorneys for Defendant*  
8 *ReconTrust Company, N.A.*

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 CHRIS DAVENPORT, an individual,  
12 Plaintiff,

13 vs.

14 RECONTRUST COMPANY, N.A., a wholly-  
owned subsidiary of Bank of America, N.A.;  
15 AND DOES I individuals 1 to 100, Inclusive;  
16 and ROES Corporations 1 to 30, Inclusive,  
17 Defendants.

Case No: 2:11-cv-01295-JCM-RJJ

**ORDER CANCELING LIS PENDENS**

18 This court issued an order [Dkt. 14] granting defendant ReconTrust Company, N.A.'s  
19 (**defendant**) motion to dismiss for failure to state a claim and expunge lis pendens [Dkt. 6] (**motion**)  
20 on September 14, 2011, and entered judgment in favor of defendant on September 14, 2011 [Dkt.  
21 15].

22 Defendant requests that the lis pendens plaintiff Chris Davenport (**plaintiff**) recorded against  
23 the subject property be canceled.

24 The court finds that plaintiff recorded a notice of lis pendens affecting real property (**lis**  
25 **pendens**) on July 25, 2011, as Instrument Number 201107250001396, in the real property records  
26 maintained by the Clark County Recorder. A copy of the lis pendens is attached hereto as **Exhibit A**  
27 and fully incorporated by reference.

28 Upon consideration of defendant's request to cancel the above-referenced lis pendens, and

1 good cause appearing therefore, the court hereby grants defendant its requested relief and rules as  
2 follows:

3 1. It is ordered, adjudged and decreed that the above-referenced lis pendens is hereby  
4 canceled, released and expunged.

5 2. It is further ordered, adjudged and decreed that this order canceling the above-  
6 referenced lis pendens has the same effect as an expungement of the original lis pendens.

7 3. It is further ordered, adjudged and decreed that defendant record a properly certified  
8 copy of this cancellation order in the real property records of Clark County, Nevada within a  
9 reasonable amount of time from the date of this order's issue.

10 APPROVED:

11   
12 UNITED STATES DISTRICT JUDGE

13 Dated: October 25, 2011  
14

15 Submitted by:  
16 **AKERMAN SENTERFITT LLP**

17 /s/ Christina S. Bhirud  
18 ARIEL E. STERN, ESQ.  
19 Nevada Bar No. 8276  
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26  
27  
28

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## **EXHIBIT A**

## **EXHIBIT A**

(3)

**RECORDING COVER PAGE**

Must be typed or printed clearly in black ink only.

**APN#** 125-33-306-006

11 digit Assessor's Parcel Number may be obtained at:  
<http://redrock.co.clark.nv.us/ass/realprop/owner.aspx>

Inst #: 201107250001396

Fees: \$16.00

N/C Fee: \$0.00

07/25/2011 11:41:33 AM

Receipt #: 855132

Requestor:

**CHRIS DAVENPORT**

Recorded By: GWC Pgs: 3

**DEBBIE CONWAY**

**CLARK COUNTY RECORDER**

**TITLE OF DOCUMENT (DO NOT Abbreviate)**

**NOTICE OF LIS PENDENS AFFECTING REAL PROPERTY**

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Title of the Document on cover page must be EXACTLY as it appears on the first page of the document to be recorded.

**Recording requested by:**

**CHRIS DAVENPORT**

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**Return to:**

**Name** CHRIS DAVENPORT

**Address** 5016 N. CIMARRON ROAD

**City/State/Zip** LAS VEGAS, NV 89129

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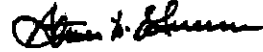
This page provides additional information required by NRS 111.312 Sections 1-2.

An additional recording fee of \$1.00 will apply.

To print this document properly—do not use page scaling.

P:\Recorder\Forms 12\_2010

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07/22/2011 01:30:05 PM

  
CLERK OF THE COURT

1 RECORDING REQUESTED BY: Plaintiff Chris Davenport  
2 AND WHEN RECORDED MAIL TO:

3 **LISP**  
4 Chris Davenport  
5 5016 N. Cimarron Rd.  
6 Las Vegas, NV 89129  
7 702-218-1486  
8 cdld@lvcoxmail.com  
9 PLAINTIFF: *IN PRO PER*

10 SPACE ABOVE THIS LINE FOR RECORDER'S USE

11 DISTRICT COURT  
12 CLARK COUNTY, NEVADA

13 CHRIS DAVENPORT an individual,  
14 Plaintiff(s)

15 vs.

16 RECONTRUST COMPANY, N.A. a wholly-  
17 owned subsidiary of Bank of America, N.A; AND  
18 DOES 1 individuals 1 to 100, inclusive; and ROES  
19 Corporations 1 to 30, inclusive; and all other  
20 persons and entities unknown claiming any  
21 right, title, estate, lien or interest in the real  
22 property described in the Complaint adverse to  
23 Plaintiff's ownership, or any cloud upon  
24 Plaintiff's title thereto,

25 Defendants.

CASE NO.: *A-11-645375-C*

*XXVII*

DEPARTMENT:

**NOTICE OF LIS PENDENS**

**AFFECTING REAL PROPERTY**

NOTICE: THIS LIS PENDENS IS EFFECTIVE UPON  
SERVICE OF THE PARTY REQUESTING SAME  
WHEN ISSUED AND AGAINST THE OTHER PARTY  
WHEN SERVED, AND SHALL REMAIN IN EFFECT  
FROM THE TIME OF ITS ISSUANCE UNTIL TRIAL  
OR UNTIL DISSOLVED OR MODIFIED BY THE  
COURT. DISOBEDIENCE OF THIS LIS PENDENS IS  
PUNISHABLE BY CONTEMPT.

NOTICE OF PENDANCY OF ACTION

**TO: ALL INTERESTED PARTIES**

NOTICE IS HEREBY GIVEN pursuant to NRS Chapter 14, NRS 125.220, and NRS Chapter 608, that there is currently pending in the Judicial District Court.

The action which affects the Title to a specific parcel of real property and the right to lawful possession of the same, the property location is:

5016 N. Cimarron Rd., Las Vegas, NV 89129

And of which the legal description is as follows: APN#125-33-308-008 Parcel Map file 22, Page 4, Lot 03, Block XX and by Certificate of record on 2/11/2005 in Book 20050211 as Inst. No. 03047 all in the office of the County Recorder for Clark County, NEVADA.

and which is identified in the complaint of this action.

The property affected by the action is located in the County of Clark, Nevada. The nature of the claims are:

1. Declaratory Relief
2. Negligence
3. Wrongful Foreclosure- Set Aside Trustee Sale
4. Breach of Covenant of Good Faith and Fair Dealing
5. Statutorily Defective Foreclosure- NRS 107.080
6. Misrepresentation
7. Detrimental Reliance
8. Intentional Interference of Contract Relations
9. Fair Debt Col. Prac. Act -15 U.S.C. 1692 et seq
10. (Rescission)Cancel Deed of Trust

NOTICE IS FURTHER GIVEN that YOU ARE HEREBY PROHIBITED AND RESTRAINED FROM; transferring, encumbering, selling or otherwise disposing of any portion of said real property without the written permission of the court.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2011.

Plaintiff Signature(s)

*Chris Davenport*

Chris Davenport  
5016 N. Cimarron Rd.  
Las Vegas, NV 89129  
702-218-1486  
cdltd@lvcoxmail.com

PLAINTIFF: IN PRO SE

**ACKNOWLEDGEMENT**

Subscribed and sworn to before me this 21<sup>st</sup> day of July 2011.

Signed: *MT*

Seal:

NOTARY PUBLIC in and for the County of Clark, State of Nevada.

NOTICE OF PENDANCY OF ACTION

